

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

AARON PFLUEGER,

Plaintiff,

vs.

CREDIT BUREAU SERVICES, INC.
and AMANDA BARRON,

Defendants.

4:17-CV-3092

ORDER

The defendants filed a motion for partial reconsideration ([filing 57](#)) of the Court's order ([filing 56](#)) denying the defendants' motion for summary judgment ([filing 43](#)) regarding their claim to the bona fide error defense ([15 U.S.C. § 1692k\(c\)](#)).

But it is well-settled that motions to reconsider serve a limited function: to correct manifest errors of law or fact, or to present newly discovered evidence. [Arnold v. ADT Sec. Servs., Inc.](#), 627 F.3d 716, 721 (8th Cir. 2010); [Zhai v. Cent. Ne. Orthopedics & Sports Med., P.C.](#), 4:16-CV-3049, 2018 WL 582461, at *1 (D. Neb. Jan. 28, 2018). Absent a showing of manifest error in the prior ruling, or absent new facts or legal authority, which the movant was unable to present with reasonable diligence in the first instance, a motion to reconsider will be denied. [Zhai](#), 2018 WL 582461, at *1 (citing [Activision TV, Inc. v. Bruning](#), 8:13-CV-215, 2014 WL 1350278, at 1 (D. Neb. Apr. 4, 2014)).

The defendants have not presented any new evidence or legal authority in support of their motion. Nor have the defendants pointed to any manifest

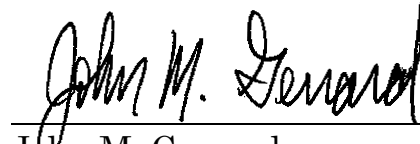
error in the Court's previous order.¹ The defendants merely reargue that which the Court has already considered. Accordingly,

IT IS ORDERED:

1. Defendants' motion for partial reconsideration ([filing 57](#)) is denied.
2. Defendants' motion for oral argument ([filing 67](#)) is denied.

Dated this 4th day of February, 2019.

BY THE COURT:

A handwritten signature in black ink, reading "John M. Gerrard", written over a horizontal line.

John M. Gerrard
Chief United States District Judge

¹ Manifest error concerns a wholesale disregard, misapplication or failure to recognize controlling precedent on the part of the court. *Alien Tech. Corp. v. Intermec, Inc.*, 3:06-CV-51, 2010 WL 5174482, at *3 (D.N.D. Dec. 15, 2010).